

So Ordered.

Dated: February 21, 2025




G. Michael Halfenger
Chief United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

In re:

Wisconsin & Milwaukee Hotel LLC,

Debtor.

Case No. 24-21743-gmh
Chapter 11

**ORDER DENYING DEBTOR'S JANUARY 6, 2025 APPLICATION TO EMPLOY
MALLERY S.C. AS SPECIAL COUNSEL UNDER 11 U.S.C. §327(e)**

On January 6, 2025, debtor Wisconsin & Milwaukee Hotel LLC filed an application under 11 U.S.C. §327(e) to employ Mallery S.C. "as special counsel for the Debtor for a specific purpose", and this application sought the court's approval of the employment "effective as of the Petition Date". ECF No. 374, at 1. The United States trustee and creditors Computershare Trust Company, N.A., and Wisconsin & Milwaukee Hotel Funding LLC objected, and on January 24, 2025, the court entered a preliminary order on the debtor's January 6 application. ECF Nos. 379, 380 & 384.

The preliminary order detailed several reasons why the debtor's application to employ Mallery "retroactive to the petition date, for additional 'special purpose[s]', [wa]s inadequately supported on the existing record". ECF No. 384, at 5, *id.* at 5–10. The

court allowed the debtor until February 7, 2025, to file a reply in support of its application to employ Mallery, additional supporting evidence, or a request for an evidentiary hearing, and stated that “[i]f the debtor does not timely file a reply, additional evidence, or a request for an evidentiary hearing, the court will deny the application for the reasons stated in this order without further notice or a hearing.” *Id.* at 11.

The debtor did not file a reply, additional evidence, or a request for an evidentiary hearing by February 7, 2025. Accordingly, IT IS HEREBY ORDERED that the debtor’s January 6, 2025 application to employ Mallery S.C. as special counsel for the debtor is DENIED.

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